

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO.92-013

ORDER SETTING ADMINISTRATIVE CIVIL LIABILITY

CITY AND COUNTY OF SAN FRANCISCO,
SAN FRANCISCO INTERNATIONAL AIRPORT,
INDUSTRIAL WASTE TREATMENT PLANT,
SAN MATEO COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Board) finds that:

1. San Francisco International Airport ("Airport") owns and operates an Industrial Waste Treatment plant. The plant treats industrial wastewater from aircraft service, maintenance, and washing; ground vehicle service and maintenance and rental car service; and surface runoff from aircraft washing areas and polluted portions of aircraft ramps and maintenance areas. The plant presently discharges an average dry weather flow of about 0.9 million gallons per day.
2. The Airport's Industrial Waste Treatment Plant is regulated by Board Order No. 87-127 (NPDES Permit CA0028070), adopted on September 16, 1987. The bypass of untreated industrial process waste to San Francisco Bay via drainage station E-004 referred to in findings #3 & #4 below violated several sections of the Order:

<u>Section</u>	<u>Permit Requirements</u>
A.1	Prohibits any discharge receiving less than 10:1 initial dilution
A.2	Prohibits dry weather discharge from drainage station E-004
A.3	Prohibits bypass or overflow from the Airport's wastewater collection or transport system tributary to the industrial waste treatment plant
C.1.e	Receiving water limit that prohibits the Airport from discharging any toxic or other deleterious substance into waters of the State

D.5 and SMP(Part A) Requires monthly self-monitoring reports to be submitted by the 15th day of the following months

D.15 Requires the Airport to notify the Regional Board as soon as it knows a discharge of a toxic pollutant has occurred

3. The Airport experienced 0% survival in four consecutive 96-hour acute toxicity fish bioassays at station E-004. The bioassays were conducted on August 12, 19, and 20 and September 16, and showed 0% survival within the first 24 hour test period. During the same period, an abnormally high concentration of nickel (319 ug/l) was detected in the E-004 discharge. Bypassing of process waste to the North Pond probably began occurring in April 1991. Discharge of bypassed waste through station E-004 occurred for certain beginning on August 12, 1991, and may have occurred earlier. The bypass caused an acutely-toxic discharge at station E-004 for at least 35 days (August 12 through September 16) and possibly as many as 86 days (July 8 through September 27). The Airport discharged between 33 and 56 million gallons of acutely toxic wastewater to San Francisco Bay through station E-004 during this episode.
4. The bypass of process waste occurred when pump station C was unable to pump 100% of the dry-weather flow from United Airlines' maintenance center. Process waste bypassed the pump station and flowed to a stormwater retention basin (North Pond) and then drained to Station E-004. Airport staff were aware of the pump station's deficiency as early as April 1991, but did not notice the bypass until early October 1991. The pump station lacks an effective high-water alarm, and regular inspections of the North Pond did not detect the bypass prior to October. The bypass would not have happened (or would have been less severe) if reasonable reliability features and measures were in effect.
5. Drainage station E-004 discharges to a confined water body (Seaplane Harbor) less than five feet deep (MLLW), which is adjacent to a equally shallow portion of San Francisco Bay. The discharge had the potential to cause widespread toxicity in the Seaplane Harbor and adjacent bay waters.
6. The permit requires the Airport to notify the Regional Board as soon as it knows or has reason to believe a discharge of a toxic pollutant has occurred. However, the Airport did not notify the Regional Board until September 26, 1991, over 40 days after it had knowledge of the first 0% survival result at station E-004.

7. On March 25, 1992, the Board's Executive Officer issued a Complaint for administrative civil liability (ACL) against the Airport. The Complaint proposed a liability of \$354,000. This amount includes \$4,000 for reimbursement of staff costs incurred by Regional Board staff in preparing this complaint and supporting evidence.
8. In May 1992, the Airport requested permission to utilize the proposed fine to develop mitigation projects to enhance the level of wastewater treatment at its facility.
9. On June 9, 1992, the Airport submitted a mitigation project settlement proposal. The proposal was clarified by letter dated June 16, 1992. The proposal consists of the following elements:
 - A. Payment of \$30,000 civil administrative penalty plus the staff costs incurred by the Regional Board staff in preparing this complaint and supporting evidence and for oversight costs for the ongoing proposal;
 - B. Construction of a "basic core" reclaimed water treatment system intended to provide up to 700,000 gallons per day (system is intended to meet Department of Health Services Statewide Reclamation Requirements). The basic core (filters, pipes, valves, pumps, etc.) would be sized and totally compatible for full operation of a complete industrial waste reclaimed water system for the Airport. The "basic core" system is estimated to cost approximately \$610,000;
 - C. The initial portion of the distribution system would provide 15,000 gpd of reclaimed water for landscaping; and
 - D. The Airport would adopt specific policies satisfactory to the Executive Officer for expansion of the reclaimed water distribution system into its water and facilities planning.
6. On June 17, 1992 the Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

IT IS HEREBY ORDERED, PURSUANT TO WATER CODE SECTION 13385 that The City and County of San Francisco International Airport, Industrial Waste Treatment Plant is civilly liable for this violation and shall pay administrative civil liability in the amount of \$354,000 payable as follows:

1. \$35,000 shall be paid to the State Water Pollution Cleanup and Abatement Account within 30 days of the date of this Order. Of this amount, \$5,000 is for reimbursement of staff costs incurred by Regional Board staff in preparing this enforcement action.

2. Payment of the remaining \$319,000 liability is suspended provided that the mitigation project settlement proposal described in the Airports letters dated June 9, 1992 (see attachment A) and June 16, 1992 (See attachment B) is completed as follows:

a. Select Engineering consultant for mitigation project design by August 17, 1992. If selection is delayed for reasons beyond the City's reasonable control, the Executive Officer may extend this deadline.

b. Submit specific policies for Executive Officer review and approval by August 17, 1992 for expansion of the reclaimed water distribution system into its water and facilities planning.

c. Complete core system project design and submit to Executive Officer for review and approval by February 17, 1993.

d. Complete construction of described treatment systems as proposed to comply with Department of Health Services Reclamation Requirements to provide up to 700,000 gallons reclaimed water per day and complete start up of Community College landscape irrigation by August 30, 1994.

e. Additional reimbursement for Regional Board staff costs to oversee completion of the project in an amount not to exceed \$5,000.

f. If the project is not completed by August 30, 1994, or a subsequent date approval by the Regional Board, then the \$319,000 must be paid to the State Cleanup and Abatement Account, not withstanding any prior payments for the proposed project.

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 17, 1992.



STEVEN R. RITCHIE
EXECUTIVE OFFICER